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HON. Brian M. Cogan

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Sunn Enterprise Group, LLC

ENVIRONMENTAL AND CONSTRUCTION CONTRACTORS

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July 3, 2017

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Extension of Time

Ref: **SINGH v SUNN ENTERPRISE GROUP, LLC & BOGDAN MARKOVSKI et al**

Case No: 1:17-CV-01387-BMC

Dear Judge Cogan,

I am writing to you as the Defendant "pro se" respectfully requesting to motion the court for an immediate, but temporary extension of time until July 31, 2017 in the matter of SINGH V SUNN ENTERPRISE GROUP, LLC & BOGDAN MARKOVSKI pursuant to CPLR 2004.

The cause of action is brought by the Plaintiff(s) through attorney Jonathan Silver ESQ to recover alleged unpaid wages and unpaid overtime for brick work, pointing, grinding and related activities at the following locations:

- 2 Aberdeen Street, Brooklyn, NY 11207
- 1340 East 29th Street, Brooklyn, NY 11210
- 46-02 Parsons BLVD, Flushing, NY 11355

Upon a detailed reading of the complaint with notice filed on 03/13/2017 by Plaintiff(s) council, SUNN ENTERPRISE GROUP, LLC & BOGDAN MARKOVSKI expressly deny the Plaintiff(s) were employees of SUNN



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Enterprise Group, LLC entitled to wages and benefits within the meaning of New York Labor Law 190 and The Fair Labor Standards Act ("FLSA") and Plaintiff(s) worked on the aforementioned site at the behest of the General Contractor ("FLAG") and executed and documented all labor performed on the General Contractor's time sheet/work events ledger and reported directly to the General Contractor's Superintendent daily. SUNN ENTERPRISE GROUP, LLC & BOGDAN MARKOVSKI exercised no control over the times Plaintiff(s) were on site or the quality of work executed by the Plaintiff(s).

Additionally, certain Plaintiff(s) under the cause of action filed were in fact not within the Continental United States at the time of the alleged work performed on the aforementioned sites, which can be evidenced by Passport Stamps under Discovery or a Motion to Compel and entered as evidence on the courts record.

The extension of time is needed for SUNN ENTERPRISE GROUP, LLC AND BOGDAN MARKOVSKI to obtain the official time sheets executed by the Plaintiff(s) with the General Contractor in accordance with work performed on the aforementioned sites listed under the cause of action in the matter.

SUNN Enterprise Group, LLC ask the court to compel the Plaintiff(s) or Counsel upon opposition show cause in the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, on the 31 day of July 2017, at 10:00 o'clock as the parties to this proceeding may be heard as to why a motion for default judgment should not be issued, providing the following relief:

- Extension of time to file an answer and collect time sheets
- Stay of default judgment by Plaintiff(s) attorney
- Any other relief the court may find good and proper

Respectfully

Bogdan Markovski

Bogdan Markovski
Dir. of Operations